

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE ETHICON, INC.,
PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION

MDL No. 2327

THIS DOCUMENT RELATES TO

ETHICON, INC., WAVE 13 CASES LISTED IN EXHIBIT A

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION TO EXCLUDE
PEGGY PENCE, PH.D.**

Defendant Boston Scientific Corporation adopts and incorporates by reference its prior *Daubert* motion to exclude the opinions of Peggy Pence, Ph.D., and memorandum in support. Boston Scientific Corp., Pelvic Repair Systems Product Liability Litigation MDL No 2326 [ECF No. 4815]. Boston Scientific respectfully requests that the Court exclude Peggy Pence, Ph.D.'s testimony, for the reasons expressed in the incorporated briefing. This notice applies to the Ethicon, Inc. Wave 13 cases identified in **Exhibit A**.

Dated: December 20, 2019

Respectfully submitted,

By: /s/ Eric M. Anielak

Jon A. Strongman

Eric M. Anielak

SHOOK, HARDY & BACON L.L.P.

2555 Grand Boulevard

Kansas City, Missouri 64108

Telephone: 816.474.6550

Facsimile: 816.421.5547

jstrongman@shb.com

eanielak@shb.com

**ATTORNEYS FOR DEFENDANT
BOSTON SCIENTIFIC CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2019 I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

Dated: December 20, 2019

Respectfully submitted,

/s/ Eric M. Anielak

Eric M. Anielak

**ATTORNEY FOR DEFENDANT
BOSTON SCIENTIFIC CORPORATION**